

**BDAC PUBLIC MEETING  
MARCH 21, 1996  
BEVERLY GARLAND HOTEL  
MEETING SUMMARY**

**1. WELCOME AND INTRODUCTION**

Sunne McPeak convened the meeting and welcomed BDAC members. Attachment 1 lists the BDAC members attending and Attachment 2 lists the members of the public attending the meeting.

**2. GENERAL OVERVIEW OF PROCESS**

Lester Snow provided the overview. The CALFED Bay Delta Program (Program) is in the planning or pre-scoping phase. The Program is retaining comments regarding design of alternative components for consideration in the implementation phase. However, the Program is also identifying components for early implementation, prior to certification of the EIR/S.

The process used for recombining the 20 alternatives to 10 has three characteristics:

- 1) The process is collaborative and based on review and comment from stakeholders and other members of the public.
- 2) The process is performance-based. The alternatives must meet the stated objectives and solution principles.
- 3) The process includes a healthy range of approaches to ensure a good mix of alternatives and a range of costs.

**3. SUMMARY OF ISSUES**

Lester Snow summarized comments received since the last BDAC meeting. He emphasized the importance of "long-term fixes" but stated the Program is hearing comments that alternatives appear too expensive. Some commenters expressed dissatisfaction with the Core Actions and in response staff is developing "Essential Elements." Commenters also emphasized the need to address upstream watershed management.

**3.A. GENERAL NATURE OF COMMENTS RECEIVED**

Sunne McPeak introduced Judy Kelly who provided a more detailed summary of comments on the 20 alternatives. The Program has received many comments since January 1, including the public meeting in Fresno, the February 15, 1996 BDAC meeting and CALFED Program Public Workshop #5 on February 26, 1996. She categorized the comments under the following headings:

- ~ Process/Policy
- ~ Ecosystem Restoration
- ~ Water Supply
- ~ Water Quality
- ~ System Reliability
- ~ Operation of Alternatives

She informed BDAC members that many comments focused on concerns about ecosystem restoration. Water supply related comments focused on demand management and water transfers. Commenters believed, for the most part, that the alternatives did not go far enough in improving water quality. System reliability comments focused on bringing levees up to Public Law 99 standards.

BDAC members Hap Dunning, Roberta Borgonovo and Ann Notthoff asked for more information regarding assumptions and the effectiveness of the alternative components in addressing issues. They also questioned whether enough of a foundation has been laid to refine alternatives within the current schedule. Hap Dunning questioned whether the schedule allows for maintaining good feedback from stakeholders and referred to the March 5, 1996 letter from the Environmental Water Caucus to CALFED staff, which raised similar issues. Roberta Borgonovo expressed a need to articulate a vision of the ideal goal before refinement of the alternatives. Ann Notthoff wanted to know the assumptions behind the alternatives to help her constituents determine if the alternatives will provide the identified outcomes. She cited habitat strategy and agricultural issues as examples of issues where more specificity was needed. She also felt they needed more explanation as to the difference between Core Actions and Essential Elements.

Judith Redmond questioned whether water markets or transfers would be a Core Action, given the number of acres that have already been retired.

Gary Bobker (Bay Institute) summarized the March 5 letter by expressing doubts about moving ahead with the schedule. He expressed a desire to deal with the foundation issues and to create a vision of the essential elements. He added it would be difficult to review the draft alternatives without the visioning and laying of the foundation.

Lester Snow expressed that the comments raised a concern, but the timing of the letter did not allow for a specific response at the meeting. He pointed out that these types of policy questions may be appropriate for other forums such as the Work Groups.

## **B. SOLUTION PRINCIPLES**

Lester Snow mentioned the solution principles will become more important as the process moves forward and the stakeholders try to achieve consensus and balance.

Mike Madigan said the BDAC process is evolving. Over the coming months, members will be required to be representatives for their constituents and provide more input. BDAC will address and try to resolve substantive issues. Members must recognize their dual role of representing their constituencies while reaching consensus. They must express their concerns and deal points and recognize the points for compromise in a timely fashion. They should make efforts to attend meetings, but if they can not, they should find someone who can represent their views and make them know to other BDAC members.

### **3C. FRAMING OF SPECIFIC ISSUES**

#### **Background**

The intent of this agenda item was to frame key issues so BDAC could focus on policies and implementation strategies for resolving the issues. Following full BDAC discussion of the issues BDAC Work Groups could be formed comprised of a few BDAC members. Stakeholders and agency staff would also be invited to participate with the Work Groups. The purpose of the Work Groups is address key issues in small, focused groups. Work Groups would develop options, clarify strengths and weaknesses, and develop alternative policy options. The results from the Work Groups would then be considered by the full BDAC membership.

#### ***Habitat Strategy and CVPLA Implementation***

Dick Daniel presented an overview of issues. The strategy is based on restoration of natural functions of the system and has several broad components:

- ~ An elaborate public process to identify problems and actions.
- ~ Actions have multiple benefits, i.e. levee maintenance incorporates habitat protections.
- ~ A suite of indicators will measure progress toward meeting goals and determine if actions work.
- ~ The strategy incorporates an adaptive management approach.

Several BDAC members expressed concern and raised questions regarding whether the CVPIA fish and wildlife measures were incorporated into the CALFED Habitat Strategy. The CVPIA goal (doubling the natural production of anadromous fish by the year 2002) was brought up several times and several asked if the CALFED strategy embraced the goal.

Other BDAC comments:

- ~ (Ann Notthoff) The Program needs more specific measurable criteria to ensure goals are met. Ecosystem restoration is a new concept. The more precise we can be, the better the chance for reaching consensus.
- ~ (Richard Izmirian) Include a list of indicators and identify assumptions.
- ~ (Stuart Pyle) Identify a general habitat strategy that serves as an umbrella for the restoration actions.

- ~ (Pietro Parravano) The goals or targets should identify the number of fish to be produced. Keep the CVPIA fish doubling goal.
- ~ (Roberta Borgonovo) Concentrate on habitat improvements. Use analytical models applied to successful restoration programs.
- ~ (Dick Daniel) Translate scientific data to terms that can be understood by others.
- ~ (Roberta Borgonovo) Articulate what a natural system looks like.
- ~ (Dick Daniel) Use adaptive management measures to assure achievement of goals/targets.
- ~ (Steve Hall) Stress the role of monitoring and develop a system all can agree to.
- ~ (Mary Selkirk) Include in the process an evaluation of alternative components, as narrowing occurs. The Program should look at the full range of comments, from those that address very broad issues to those that are very specific.
- ~ (Alex Hildebrand) Be aware there may be tradeoffs between protecting natural species and managing exotics.

**Public Comments (Gary Bobker):**

- ~ The strategy should provide a sufficient quantity and quality of habitat restoration to meet recovery requirements.
- ~ Restoration goals and targets are needed to meet thresholds.
- ~ Flows and time are not adequately addressed in the strategy.

Mike Madigan appointed Mary Selkirk as chair of the Ecosystem Restoration Work Group. The first meeting will be on April 22, 1996 at the Resources Agency Building in Sacramento. An agenda is currently being developed.

**Public Comment (Ed Petry):**

He expressed concern that the alternatives did not adequately address problems in the San Joaquin River. Pollutants dumped into the river end up in the City of Mendota water supply. His recommendation for rectifying the problem is to raise Friant dam which would result in higher flows in the river. He also suggested cleaning up pollutants at the source and buying out land in the vicinity of Mendota. By buying land near Mendota, industries that ship local agricultural products could be relocated to areas nearer the farms.

***Financial Strategy***

Zach McReynolds presented a preliminary outline of issues to be addressed by the Financial Strategies Work Group:

- ~ Cost allocation strategies
- ~ Budget issues
- ~ Alternative statewide revenue sources
- ~ Financial structure

Eric Hasseltine is the chair. The other Work Group members are Roberta Borgonovo, Tom Maddock, and Tom Graff.

Hasseltine said the Work Group is looking ahead to addressing how different alternatives will be implemented. They are looking at costs, value and effectiveness of alternatives.

**BDAC Comments/Questions:**

- ~ (several speakers) Identify list of issues relating to implementation of alternative financial strategies. Rank and rate alternatives that meet technical objectives. Allocate costs to those who benefit from improved levees, water supply, water quality and environmental restoration. However, consider the ability of different sectors to pay for the improvements.
- ~ (Izmirian) Identify alternatives to GO bonds. Develop a set of alternatives which do not need a popular vote for implementation.
- ~ (Bob Raab) Identify a broad funding base, such as a utility or water tax, which does not need a broad based vote.
- ~ (Borgonovo) Clarify how CVPIA and other programs fit into CALFED funding schemes.
- ~ (Raab) Create a Delta Utility user fee, to be paid by farmers, fishermen and water users.
- ~ (Pyle) Identify how future financial decisions will be made, especially for an adaptive management scheme. Institutional assurances are needed to determine when funding is available for later phases of projects.
- ~ (Raab) Add to the work group mandate the task of identifying how future financial decisions will be made.

Rosemary Kamei wanted clarification on the level of responsibility for the work group. Zach McReynolds and Mary Scoonover explained that the work group would investigate and conduct fact finding. The group will not vote, but may develop recommendations for full BDAC consideration.

***Water Transfers***

Lester Snow introduced the issue. Water transfers help habitat restoration, but there are tradeoffs. Transfers have economic impacts on local, small, rural communities and they cause groundwater overdraft. Other tradeoffs include reallocation of water from agriculture to other uses and mitigation for third party impacts.

**BDAC Comments/Questions:**

- ~ (Borgonovo) Discussion of third party impacts will require coordination with other work groups, such as the Financial Strategies group.
- ~ (Judith Redmond) "Water Transfers" is too narrow a name for the group. There are significant third party impacts from transfers. Perhaps the work group scope should be expanded to "Reallocation Impacts."
- ~ (Hildebrand) Assess effects of transfers on return flows during different seasons.

- ~ (Mike Stearns) Clarify whether water transfers decrease consumptive use.
- ~ (Pyle) Look at statewide implications of reallocating water from agricultural to habitat restoration and other uses. Review recent studies such as the Palos Verdes and Mendota drought studies.
- ~ (Hildebrand) Address the consequences of water transfers on food suppliers.
- ~ (Snow) There are many transfer options. Identify the pros, as well as the cons.
- ~ (Don Bransford) In Northern California, transfers were facilitated through conjunctive use. Problems focused on regulations and the process. Third party impacts were not a problem.
- ~ (Tib Belza) Transfers overseen by committee and with community support can be successful. Look at transfers on a regional and case-by-case basis.
- ~ (Selkirk) Transfers may create opportunities to create greater markets.
- ~ (Raab) Transfers raise the question of equity. What are the implications on reassignment of water rights?
- ~ (Borgonovo) Address groundwater management issues and how conjunctive use relates to transfers and storage. Groundwater overdraft protection is needed. State Water Resources Control Board (SWRCB) authority over groundwater is still a gray issue.
- ~ (Michael Mantell) The Federal and State joint drainage programs provide multiple options, especially for restoring wildlands.
- ~ (Redmond) The different ranges of agricultural land retirement options in the alternatives will cause vastly different scopes of impacts. Retirement of 70,000 to 75,000 acres will have far different community and regional impacts than retirement of 700,000 to 800,000 acres. Issues center on regional barriers, and willing sellers vs. impacts on communities.
- ~ (McPeak) Reserve Class I soils or soils that produce the top 40 crops for agricultural use, to ensure transfers do not preclude cultivating the best soils.
- ~ (Hildebrand) Viability cannot be determined by soil class alone. We must look at financial solvency of agriculture operations.
- ~ (Bransford) Lower quality soils provide wildlife and other benefits.
- ~ (Pyle) Track current transfers.
- ~ (Pyle) Transfers may not be the only option available to accommodate growing needs for water. Demand management and water supply enhancements should be addressed.
- ~ (Pyle) The Program needs a practical range of strategies.
- ~ (Pat McCarty) Recent programs, over the last five years, that have retired marginal lands may limit future retirement. These limits may increase the cost of agriculture land retirement.
- ~ (Stearns) Retired lands may be used for salt balancing and drainage controls.
- ~ (Borgonovo) Recognize institutional constraints.

#### 4. DRAFT ALTERNATIVES

Steve Yaeger explained that all major concepts of the 20 alternatives are in the 10 alternatives. The alternatives are being refined and improved to ensure they meet the objectives. The Program is hearing growing support for Core Actions and Essential Elements. Assumptions (such as

whether conveyance facilities will be lined or unlined) will be specified in more detail during Phase II.

Ann Notthoff again asked for clarification of the assumptions. Lester Snow explained that the question is partly answered in later phases and when developing operational specifics of alternatives. Steve Yaeger explained that one assumption relates to the baseline condition, used in comparing alternatives. The baseline includes, for example, CVPIA accords that are currently operating. Those that are not currently implemented would not be a part of the baseline condition.

Steve Yaeger provided a general range of costs for implementing different stages of development. The costs are not solely water user costs.

- ~ Stage 1 - Core Actions: \$ .5 billion
- ~ State 2 - Essential Elements (includes 70,000 acres of agricultural land retirement): \$1 billion.
- ~ Stage 3 - Additional habitat, levee and water quality actions (the Westside conveyance facility doubles costs): \$1 billion to \$10 billion.

Lester Snow explained that Alternative I was the most expensive and pointed out that identifying more than one revenue stream may help solve funding issues. Ray Remy expressed a desire to have SB 900 (Costa) include financing for Core Actions.

Snow also explained that during pre-scoping, the CALFED Bay Delta Program is conducting a qualitative assessment of the strengths and weaknesses of the different alternatives. The process used for refining the 20 alternatives to 10 relied mainly on comparing alternatives relative to each other. The Program must feel comfortable that it has chosen the right alternatives for Phase II evaluation. The baseline case and no action alternative have not yet been defined.

Rick Breitenbach further explained the baseline case (or existing condition), for purposes of the EIR/S, will describe what is occurring now. The no action alternative incorporates the future condition. For example, the CVPIA components can be included in the no action alternative because they are mandated. However, it is possible they may not be included if one of the EIR/S assumptions is that projects must have permits and completed environmental studies.

McPeak, Selkirk, Hall, Borgonovo and Notthoff expressed concern about what projects would be included in the baseline case and no action alternative. Issues raised included ensuring that the CALFED goal embraces the CVPIA targets, ensuring stakeholders are comfortable with chosen alternatives, clearly stating the method of measuring Program progress, and knowing the level of demand management that will be included in the baseline condition.

## **5. UPCOMING PROGRAM ACTIVITIES**

Mary Kelley reviewed the schedule for the upcoming progress report, public workshop and scoping meetings. She urged BDAC members to attend the meetings.

## **6. PUBLIC COMMENTS**

Jim Blake (Metropolitan Water District). The CALFED Process and the San Francisco Bay Delta are a #1 concern for MWD. Issues need to be addressed in a statewide context. Urban users needs, including reliability, improved water quality and environmental concerns are key issues. Demand is expected to increase by 1 MAF by 2010. MWD believes the alternatives underemphasize urban water quality concerns. Good water quality is needed for their conjunctive use and water reclamation programs. MWD has an aggressive local water conservation program to meet the Program's demand management components. MWD is involved in three types of transfers: spot, option, and contract.

John Mills (Regional Council of Rural Counties - Attachment 3). The Council wants to be part of the CALFED process as it affects water issues in areas above the dams. He urged the Program to consider the upper reaches of the Bay Delta watershed for a solution and to use a watershed management approach. He suggested the following for Program consideration: The SWRCB Regional Watershed Management Program and Sierra Nevada Ecosystem report.

Gary Bobker (Bay Institute). The Program should explain more clearly assumptions used to refine the alternatives. He asked how the work group output would be integrated into the CALFED and BDAC processes.

Pinky Brennan (Antioch). Mr. Brennan expressed grave concern for dumping of selenium, boron and 18 pesticides from farms and agricultural drains into the San Joaquin river. He urged BDAC to address these agricultural runoff issues.

## **7. Next BDAC Meeting**

The next meeting will be on April 25, 1996 at the Sacramento Convention Center. A field trip to the Cosumnes River Reserve is scheduled for April 24.